



General Assembly

February Session, 2008

Raised Bill No. 5922

LCO No. 3186

03186_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THE DEPARTMENT OF CORRECTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) Unless disclosure is
2 required pursuant to a valid court order, the Commissioner of
3 Correction shall not disclose to any individual committed to the
4 custody or supervision of the commissioner, or confined to a Whiting
5 Forensic Division facility, the personnel or medical files or any similar
6 file of a current or former employee of the Department of Correction.
7 Such similar file includes, but is not limited to, a record of a
8 Department of Correction Security Division investigation, a record of
9 an investigation of a discrimination complaint or any other record
10 related to discipline of, or an investigation concerning, a current or
11 former department employee.

12 Sec. 2. Subsection (c) of section 1-210 of the 2008 supplement to the
13 general statutes is repealed and the following is substituted in lieu
14 thereof (*Effective from passage*):

15 (c) (1) Whenever a public agency receives a request from any person
16 confined in a correctional institution or facility or a Whiting Forensic

17 Division facility, for disclosure of any public record under the
18 Freedom of Information Act, the public agency shall promptly notify
19 the Commissioner of Correction, or the Commissioner of Mental
20 Health and Addiction Services in the case of a person confined in a
21 Whiting Forensic Division facility, of such request, in the manner
22 prescribed by the commissioner, before complying with the request as
23 required by the Freedom of Information Act. If the commissioner who
24 was notified of the request believes the requested record is exempt
25 from disclosure pursuant to subdivision (18) of subsection (b) of this
26 section, the commissioner may withhold such record from such person
27 when the record is delivered to the person's correctional institution or
28 facility or Whiting Forensic Division facility.

29 (2) Whenever a public agency receives a request from any person for
30 disclosure of any public record under the Freedom of Information Act
31 regarding a correctional institution or facility or a Whiting Forensic
32 Division facility, the public agency shall promptly notify the
33 Commissioner of Correction, or the Commissioner of Mental Health
34 and Addiction Services in the case of a record concerning a Whiting
35 Forensic Division facility, of such request, in the manner prescribed by
36 the commissioner, before complying with the request as required by
37 the Freedom of Information Act. If the commissioner who was notified
38 of the request believes the requested record is exempt from disclosure
39 pursuant to subdivision (18) of subsection (b) of this section, the
40 commissioner may inform the public agency that received the request
41 that the record is exempt from disclosure and require the public
42 agency to withhold such record from such person.

43 Sec. 3. Section 1-212 of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective from passage*):

45 (a) Any person applying in writing shall receive, promptly upon
46 request, a plain or certified copy of any public record. The fee for any
47 copy provided in accordance with the Freedom of Information Act:

48 (1) By an executive, administrative or legislative office of the state, a

49 state agency or a department, institution, bureau, board, commission,
50 authority or official of the state, including a committee of, or created
51 by, such an office, agency, department, institution, bureau, board,
52 commission, authority or official, and also including any judicial office,
53 official or body or committee thereof but only in respect to its or their
54 administrative functions, shall not exceed twenty-five cents per page;
55 and

56 (2) By all other public agencies, as defined in section 1-200, shall not
57 exceed fifty cents per page. If any copy provided in accordance with
58 said Freedom of Information Act requires a transcription, or if any
59 person applies for a transcription of a public record, the fee for such
60 transcription shall not exceed the cost thereof to the public agency.

61 (b) The fee for any copy provided in accordance with subsection (a)
62 of section 1-211 shall not exceed the cost thereof to the public agency.
63 In determining such costs for a copy, other than for a printout which
64 exists at the time that the agency responds to the request for such copy,
65 an agency may include only:

66 (1) An amount equal to the hourly salary attributed to all agency
67 employees engaged in providing the requested computer-stored public
68 record, including their time performing the formatting or
69 programming functions necessary to provide the copy as requested,
70 but not including search or retrieval costs except as provided in
71 subdivision (4) of this subsection;

72 (2) An amount equal to the cost to the agency of engaging an
73 outside professional electronic copying service to provide such
74 copying services, if such service is necessary to provide the copying as
75 requested;

76 (3) The actual cost of the storage devices or media provided to the
77 person making the request in complying with such request; and

78 (4) The computer time charges incurred by the agency in providing

79 the requested computer-stored public record where another agency or
80 contractor provides the agency with computer storage and retrieval
81 services. Notwithstanding any other provision of this section, the fee
82 for any copy of the names of registered voters shall not exceed three
83 cents per name delivered or the cost thereof to the public agency, as
84 determined pursuant to this subsection, whichever is less. The
85 Department of Information Technology shall monitor the calculation of
86 the fees charged for copies of computer-stored public records to ensure
87 that such fees are reasonable and consistent among agencies.

88 (c) A public agency may require the prepayment of any fee required
89 or permitted under the Freedom of Information Act if such fee is
90 estimated to be ten dollars or more. The sales tax provided in chapter
91 219 shall not be imposed upon any transaction for which a fee is
92 required or permissible under this section or section 1-227.

93 (d) The public agency shall waive any fee provided for in this
94 section when:

95 (1) The person requesting the records is an indigent individual;

96 (2) The records located are determined by the public agency to be
97 exempt from disclosure under subsection (b) of section 1-210 of the
98 2008 supplement to the general statutes;

99 (3) In its judgment, compliance with the applicant's request benefits
100 the general welfare; or

101 (4) The person requesting the record is an elected official of a
102 political subdivision of the state and the official (A) obtains the record
103 from an agency of the political subdivision in which the official serves,
104 and (B) certifies that the record pertains to the official's duties.

105 (e) Except as otherwise provided by law, the fee for any person who
106 has the custody of any public records or files for certifying any copy of
107 such records or files, or certifying to any fact appearing therefrom,
108 shall be for the first page of such certificate, or copy and certificate, one

109 dollar; and for each additional page, fifty cents. For the purpose of
110 computing such fee, such copy and certificate shall be deemed to be
111 one continuous instrument.

112 [(f) The Secretary of the State, after consulting with the chairperson
113 of the Freedom of Information Commission, the Commissioner of
114 Correction and a representative of the Judicial Department, shall
115 propose a fee structure for copies of public records provided to an
116 inmate, as defined in section 18-84, in accordance with subsection (a) of
117 this section. The Secretary of the State shall submit such proposed fee
118 structure to the joint standing committee of the General Assembly
119 having cognizance of matters relating to government administration,
120 not later than January 15, 2000.]

121 (f) The fee for a copy of any record provided by the Department of
122 Correction to an inmate, as defined in section 18-84, as amended by
123 this act, shall be twenty-five cents for each page. If an inmate has
124 insufficient funds in the inmate's account to cover such fee, the
125 department shall provide the inmate with such copies and the
126 Department of Correction shall encumber the inmate's account for the
127 amount of such fee. The inmate shall repay the amount of such fee in
128 accordance with section 18-85, as amended by this act.

129 (g) Any individual may copy a public record through the use of a
130 hand-held scanner. A public agency may establish a fee structure not
131 to exceed ten dollars for an individual to pay each time the individual
132 copies records at the agency with a hand-held scanner. As used in this
133 section, "hand-held scanner" means a battery operated electronic
134 scanning device the use of which (1) leaves no mark or impression on
135 the public record, and (2) does not unreasonably interfere with the
136 operation of the public agency.

137 Sec. 4. Section 54-102g of the 2008 supplement to the general statutes
138 is repealed and the following is substituted in lieu thereof (*Effective*
139 *from passage*):

140 (a) Any person who has been convicted of a criminal offense against
141 a victim who is a minor, a nonviolent sexual offense or a sexually
142 violent offense, as those terms are defined in section 54-250, or a
143 felony, and has been sentenced on that conviction to the custody of the
144 Commissioner of Correction shall, prior to release from custody and at
145 such time as the commissioner may specify, submit to the taking of a
146 blood or other biological sample for DNA (deoxyribonucleic acid)
147 analysis to determine identification characteristics specific to the
148 person. If any person required to submit to the taking of a blood or
149 other biological sample pursuant to this subsection refuses to do so,
150 the Commissioner of Correction or the commissioner's designee shall
151 notify the Department of Public Safety within thirty days of such
152 refusal for the initiation of criminal proceedings against such person.

153 (b) Any person who is convicted of a criminal offense against a
154 victim who is a minor, a nonviolent sexual offense or a sexually violent
155 offense, as those terms are defined in section 54-250, or a felony and is
156 not sentenced to a term of confinement shall, as a condition of such
157 sentence and at such time as the sentencing court may specify, submit
158 to the taking of a blood or other biological sample for DNA
159 (deoxyribonucleic acid) analysis to determine identification
160 characteristics specific to the person.

161 (c) Any person who has been found not guilty by reason of mental
162 disease or defect pursuant to section 53a-13 of a criminal offense
163 against a victim who is a minor, a nonviolent sexual offense or a
164 sexually violent offense, as those terms are defined in section 54-250, or
165 a felony, and is in custody as a result of that finding, shall, prior to
166 discharge from custody in accordance with subsection (e) of section
167 17a-582 of the 2008 supplement to the general statutes, section 17a-588
168 of the 2008 supplement to the general statutes or subsection (g) of
169 section 17a-593 of the 2008 supplement to the general statutes and at
170 such time as the Commissioner of Mental Health and Addiction
171 Services or the Commissioner of Developmental Services with whom
172 such person has been placed may specify, submit to the taking of a

173 blood or other biological sample for DNA (deoxyribonucleic acid)
174 analysis to determine identification characteristics specific to the
175 person.

176 (d) Any person who has been convicted of a criminal offense against
177 a victim who is a minor, a nonviolent sexual offense or a sexually
178 violent offense, as those terms are defined in section 54-250, or a
179 felony, and is serving a period of probation or parole, and who has not
180 submitted to the taking of a blood or other biological sample pursuant
181 to subsection (a), (b) or (c) of this section, shall, prior to discharge from
182 the custody of the Court Support Services Division or the Department
183 of Correction and at such time as said division or department may
184 specify, submit to the taking of a blood or other biological sample for
185 DNA (deoxyribonucleic acid) analysis to determine identification
186 characteristics specific to the person.

187 (e) Any person who has been convicted or found not guilty by
188 reason of mental disease or defect in any other state or jurisdiction of a
189 felony or of any crime, the essential elements of which are
190 substantially the same as a criminal offense against a victim who is a
191 minor, a nonviolent sexual offense or a sexually violent offense, as
192 those terms are defined in section 54-250, and is in the custody of the
193 Commissioner of Correction, is under the supervision of the Judicial
194 Department or the Board of Pardons and Paroles or is under the
195 jurisdiction of the Psychiatric Security Review Board, shall, prior to
196 discharge from such custody, supervision or jurisdiction submit to the
197 taking of a blood or other biological sample for DNA
198 (deoxyribonucleic acid) analysis to determine identification
199 characteristics specific to the person.

200 (f) The analysis shall be performed by the Division of Scientific
201 Services within the Department of Public Safety. The identification
202 characteristics of the profile resulting from the DNA analysis shall be
203 stored and maintained by the division in a DNA data bank and shall
204 be made available only as provided in section 54-102j.

205 (g) Any person who refuses to submit to the taking of a blood or
206 other biological sample pursuant to this section shall be guilty of a
207 class [A misdemeanor] D felony.

208 (h) With respect to any person convicted under subsection (g) of this
209 section for refusing to submit to the taking of a blood or other
210 biological sample pursuant to this section while in the custody of the
211 Commissioner of Correction, if such person is in the custody of the
212 commissioner after such conviction, has not submitted to the taking of
213 a blood or other biological sample pursuant to any applicable
214 provision of this section, and continues to refuse to submit to the
215 taking of a blood or other biological sample, the commissioner shall
216 use reasonable force to obtain the blood or other biological sample
217 required by this section.

218 Sec. 5. Section 18-85 of the 2008 supplement to the general statutes is
219 repealed and the following is substituted in lieu thereof (*Effective July*
220 *1, 2008*):

221 (a) The Commissioner of Correction, after consultation with the
222 Commissioner of Administrative Services and the Secretary of the
223 Office of Policy and Management, shall establish a schedule of
224 compensation for services performed on behalf of the state by inmates
225 of any institution or facility of the department. Such schedule shall
226 recognize degrees of merit, diligence and skill in order to encourage
227 inmate incentive and industry.

228 (b) Compensation so earned shall be deposited, under the direction
229 of the [administrative head of such institution or facility, in an inmate's
230 individual account] commissioner in a savings bank or state bank and
231 trust company in this state [, and funds from such account may be
232 transferred to the inmate's discharge savings account pursuant to
233 section 18-84a] or an appropriate account managed by the State
234 Treasurer. Any [amount in such accounts] compensation so earned
235 shall be paid to the inmate on the inmate's [discharge] release from
236 incarceration, except that the [warden or Community Correctional

Center Administrator] commissioner may, while the inmate is in custody, disburse any compensation earned by such inmate in accordance with the following priorities: (1) Federal taxes due; (2) restitution or payment of compensation to a crime victim ordered by any court of competent jurisdiction; (3) payment of a civil judgment rendered in favor of a crime victim by any court of competent jurisdiction; (4) victims compensation through the criminal injuries account administered by the Office of Victim Services; (5) state taxes due; (6) support of the inmate's dependents, if any; (7) the inmate's necessary travel expense to and from work and other incidental expenses; (8) deposits made to the inmate's individual discharge savings account pursuant to section 18-84a of the 2008 supplement to the general statutes, as amended by this act; (9) costs of such inmate's incarceration under [section 18-85a and] regulations adopted in accordance with [said] section 18-85a of the 2008 supplement to the general statutes, as amended by this act; and [(9)] (10) payment to the clerk of the court in which an inmate of a [community correctional center] correctional institution or facility, held only for payment of a fine, was convicted, such portion of such compensation as is necessary to pay such fine. Any interest that accrues shall be credited to any institutional fund established for the welfare of inmates. Compensation under this section shall be in addition to any compensation received or credited under section 18-50.

Sec. 6. Section 18-84a of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) The Commissioner of Correction shall require each inmate who was sentenced to a term of imprisonment by a court of this state to accumulate savings to be paid to the inmate on the inmate's [discharge] release from incarceration by establishing a discharge savings account on behalf of the inmate. Any inmate sentenced to a term of imprisonment by a court of this state who is confined in a facility outside the state shall be exempt from the requirements of this

270 section while confined in such facility.

271 (b) For the purpose of establishing such discharge savings account,
272 the commissioner may impose a deduction of up to ten per cent on all
273 deposits [made] credited to the inmate's individual account, provided
274 the commissioner (1) [transfers] credits such deduction to the inmate's
275 discharge savings account, and (2) ceases imposition and transfer of
276 such deduction whenever the amount in the inmate's discharge
277 savings account is equal to one thousand dollars.

278 (c) [~~If~~] When the amount in the inmate's discharge savings account
279 is equal to one thousand dollars, the commissioner shall impose a
280 deduction of ten per cent on all deposits made to the inmate's
281 individual account to the extent necessary to reimburse the state for
282 the costs of the inmate's incarceration pursuant to section 18-85a of the
283 2008 supplement to the general statutes, as amended by this act, and
284 the regulations adopted pursuant to said section 18-85a.

285 (d) Disbursement to the inmate from the inmate's discharge savings
286 account upon the inmate's release from incarceration shall not be
287 reduced by any disbursement required by sections 18-85, as amended
288 by this act, 18-85b, 18-85c, as amended by this act, and 18-101 of the
289 2008 supplement to the general statutes, as amended by this act.

290 (e) The commissioner may adopt regulations, in accordance with the
291 provisions of chapter 54, to implement this section.

292 Sec. 7. Section 18-85a of the 2008 supplement to the general statutes
293 is repealed and the following is substituted in lieu thereof (*Effective July*
294 *1, 2008*):

295 (a) The Commissioner of Correction shall adopt regulations, in
296 accordance with the provisions of chapter 54, concerning the
297 assessment of inmates [of correctional institutions or facilities] for the
298 costs of their incarceration when sentenced to a term of imprisonment
299 by a court of this state. Such assessment shall apply to an inmate while

300 the inmate is confined in a facility within the state and shall be
301 suspended while the inmate is confined in a facility outside the state.
302 Such regulations may establish a fee for the costs of programs
303 described in subdivision (4) of subsection (b) of this section.

304 (b) The state shall have a claim against each inmate for the costs of
305 such inmate's incarceration under this section, and regulations
306 adopted in accordance with this section, for which the state has not
307 been reimbursed. Any property owned by such inmate may be used to
308 satisfy such claim, except property that is: (1) Exempt pursuant to
309 section 52-352b of the 2008 supplement to the general statutes or 52-
310 352d, except as provided in subsection (b) of section 52-321a of the
311 2008 supplement to the general statutes; (2) subject to the provisions of
312 section 54-218; (3) acquired by such inmate after the inmate is released
313 from incarceration, but not including property so acquired that is
314 subject to the provisions of section 18-85b, 18-85c, as amended by this
315 act, or 52-367c, and except as provided in subsection (b) of section 52-
316 321a of the 2008 supplement to the general statutes; (4) acquired by
317 such inmate for work performed during incarceration as part of a
318 program designated or defined in regulations adopted by the
319 Commissioner of Correction, in accordance with the provisions of
320 chapter 54, as a job training, skill development or career opportunity or
321 enhancement program, except a pilot program established pursuant to
322 section 18-90b, as amended by this act, reduced by the amount of any
323 fee for the cost of such programs established pursuant to regulations
324 adopted in accordance with subsection (a) of this section; or (5)
325 deposited in a discharge savings account pursuant to section 18-84a of
326 the 2008 supplement to the general statutes, as amended by this act,
327 not in excess of one thousand dollars. In addition to other remedies
328 available at law, the Attorney General, on request of the Commissioner
329 of Correction, may bring an action in the superior court for the judicial
330 district of Hartford to enforce such claim, provided no such action
331 shall be brought but within two years from the date the inmate is
332 released from incarceration or, if the inmate dies while in the custody
333 of the commissioner, within two years from the date of the inmate's

334 death, except that such limitation period shall not apply if such
335 property was fraudulently concealed from the state.

336 (c) The Commissioner of Correction may impose a deduction of up
337 to twenty per cent on all deposits made to an inmate's account for the
338 purpose of repaying any encumbrance for copies provided to the
339 inmate pursuant to subsection (f) of section 1-212, as amended by this
340 act, provided such deduction shall cease when such encumbrance is
341 repaid.

342 Sec. 8. Section 18-101 of the 2008 supplement to the general statutes
343 is repealed and the following is substituted in lieu thereof (*Effective July*
344 *1, 2008*):

345 (a) When any [person] inmate to whom privileges have been
346 granted under section [18-90b or] 18-100 is employed for
347 compensation, the Commissioner of Correction, or the commissioner's
348 designee, shall collect such compensation or require such [person]
349 inmate to deliver to the commissioner the full amount of such
350 compensation when received. The commissioner, or [such] the
351 commissioner's designee, shall [deposit] credit such funds in [trust in
352 an] the inmate's individual account and shall keep a record showing
353 the status of the account of each [person. Compensation received by
354 such person during such person's term of imprisonment shall not be
355 subject to levy or attachment] inmate.

356 (b) On granting privileges to any [person] inmate under section [18-
357 90b or] 18-100, the commissioner or the commissioner's designee shall
358 disburse any compensation earned by such [person] inmate in
359 accordance with the following priorities: (1) Federal taxes due; (2)
360 restitution or payment of compensation to a crime victim ordered by
361 any court of competent jurisdiction; (3) payment of a civil judgment
362 rendered in favor of a crime victim by any court of competent
363 jurisdiction; (4) victims compensation through the criminal injuries
364 account administered by the Office of Victim Services; (5) state taxes
365 due; (6) support of such [person's] inmate's dependents, if any; (7) such

366 [person's] inmate's necessary travel expense to and from work and
 367 other incidental expenses; [and] (8) costs of such [person's] inmate's
 368 incarceration under section 18-85a of the 2008 supplement to the
 369 general statutes, as amended by this act, and regulations adopted in
 370 accordance with said section; and (9) payment made pursuant to
 371 section 18-84a of the 2008 supplement to the general statutes, as
 372 amended by this act. The commissioner shall pay any balance
 373 remaining to such [person] inmate upon the [person's discharge]
 374 inmate's release from incarceration including any amount [transferred]
 375 credited to a discharge savings account pursuant to section 18-84a of
 376 the 2008 supplement to the general statutes, as amended by this act.
 377 Each [person] inmate gainfully self-employed shall pay to the
 378 commissioner the costs of such [person's] inmate's incarceration under
 379 section 18-85a of the 2008 supplement to the general statutes, as
 380 amended by this act, and regulations adopted in accordance with said
 381 section, and on default in payment thereof the [person's] inmate's
 382 participation under section 18-100 shall be revoked.

383 (c) The commissioner, or the commissioner's designee, shall notify
 384 the Commissioner of Social Services and the welfare department of the
 385 town where the dependents of any [person] inmate employed under
 386 the provisions of section 18-90b, as amended by this act, or 18-100
 387 reside of the amounts of any payments being made to such
 388 dependents.

389 Sec. 9. Section 18-90b of the general statutes is repealed and the
 390 following is substituted in lieu thereof (*Effective July 1, 2008*):

391 (a) The Commissioner of Correction [is authorized to] may establish
 392 a pilot program involving the use of inmate labor in private industry
 393 consistent with governing federal guidelines.

394 (b) The commissioner may enter into such contracts as may be
 395 necessary to fully implement the pilot program. Such contractual
 396 agreements may include rental or lease agreements for state buildings
 397 or portions thereof on the grounds of any institution or facility of the

398 Department of Correction and for any real property needed for
399 reasonable access to and egress from any such building for the purpose
400 of establishing and operating a factory for the manufacturing and
401 processing of goods, wares or merchandise or the provision of service
402 or any other business or commercial enterprise deemed by the
403 commissioner to enhance the general welfare of the inmate population.

404 (c) An inmate may participate in the program established pursuant
405 to this section only on a voluntary basis and only after he has been
406 informed of the conditions of his employment.

407 (d) No inmate participating in the program shall be paid less than
408 the prevailing wage for work of similar nature in private industry.

409 (e) Inmate participation in the program shall not result in the
410 displacement of employed workers and shall not impair existing
411 contracts for services.

412 (f) Nothing contained in this section shall be deemed to restore in
413 whole or in part the civil rights of any inmate. No inmate compensated
414 for participation in the program shall be considered an employee of the
415 state or exempt from the provisions of sections 18-84a of the 2008
416 supplement to the general statutes, as amended by this act, and 18-85a
417 of the 2008 supplement to the general statutes, as amended by this act.

418 (g) The provisions of subsection (j) of section 18-88 shall not apply to
419 any articles, materials or products manufactured or produced by
420 institutional inmates pursuant to this section.

421 Sec. 10. Section 18-84 of the general statutes is repealed and the
422 following is substituted in lieu thereof (*Effective July 1, 2008*):

423 [The terms "inmate" and "prisoner", as] As used in this title and
424 sections 54-125 to 54-129, inclusive, and 54-131, [include] "inmate,
425 "prisoner" and "offender" includes any person in the custody of the
426 Commissioner of Correction or confined in any institution or facility of
427 the Department of Correction until released from such custody,

428 supervision or control, including any person on parole.

429 Sec. 11. Section 18-85c of the general statutes is repealed and the
430 following is substituted in lieu thereof (*Effective July 1, 2008*):

431 Upon the death of any [person] inmate obligated to pay the costs of
432 such [person's] inmate's incarceration under section 18-85a of the 2008
433 supplement to the general statutes, as amended by this act, and
434 regulations adopted in accordance with said section that occurs within
435 twenty years from the date such [person] inmate is released from
436 incarceration, the state shall have a claim against such [person's]
437 inmate's estate for all costs of incarceration under the provisions of
438 said section and such regulations for which the state has not been
439 reimbursed, to the extent that the amount which the surviving spouse,
440 parent or dependent children of the decedent would otherwise take
441 from such estate is not needed for their support. Such claim shall have
442 priority over all other unsecured claims against such estate, including
443 any lien of the state for repayment of public assistance, except (1)
444 expenses of last sickness not to exceed three hundred seventy-five
445 dollars, (2) funeral and burial expenses in accordance with that
446 allowed under section 17b-84 upon the death of a beneficiary of aid, (3)
447 child support obligations pursuant to subsection (d) of section 17b-93
448 of the 2008 supplement to the general statutes, (4) restitution or
449 payment of compensation to a crime victim ordered by a court of
450 competent jurisdiction, (5) payment of a civil judgment rendered in
451 favor of a crime victim by a court of competent jurisdiction, and (6)
452 administrative expenses, including probate fees and taxes, and
453 including fiduciary fees not exceeding the following commissions on
454 the value of the whole estates accounted for by such fiduciaries: On the
455 first two thousand dollars or portion thereof, five per cent; on the next
456 eight thousand dollars or portion thereof, four per cent; on the excess
457 over ten thousand dollars, three per cent. Upon petition by any
458 fiduciary, the Court of Probate, after a hearing thereon, may authorize
459 compensation in excess of the above schedule for extraordinary
460 services. Notice of any such petition and hearing shall be given to the

461 Commissioner of Correction at least ten days in advance of such
462 hearing. The allowable funeral and burial payment authorized by this
463 section shall be reduced by the amount of any prepaid funeral
464 arrangement. Any amount paid from the estate under this section to
465 any person that exceeds the limits provided in this section shall be
466 repaid to the estate by such person, and such amount may be
467 recovered in a civil action with interest at the legal rate from the date
468 of demand.

469 Sec. 12. Section 18-101b of the 2008 supplement to the general
470 statutes is repealed and the following is substituted in lieu thereof
471 (*Effective July 1, 2008*):

472 (a) Any inmate of a correctional facility under the authority of the
473 Department of Correction, involved in a departmental program for
474 drug dependent inmates or in a departmental work or education
475 release program, may request that he be allowed to remain in a
476 correctional facility for up to ninety days beyond his parole release or
477 discharge date.

478 (b) Any inmate of a correctional facility under the authority of the
479 Department of Correction, who is scheduled to be discharged to a
480 treatment program or health care institution that is not able to accept
481 the inmate on the inmate's scheduled discharge date, or who has a
482 compelling reason consistent with the inmate's rehabilitation or
483 treatment, may request that he be allowed to remain in a correctional
484 facility for up to ninety days beyond his parole release or discharge
485 date.

486 ~~[(b)]~~ (c) Any person under the jurisdiction of the Department of
487 Correction, involved in a program operated by a state department
488 other than the Department of Correction, may request that he be
489 allowed to remain in such program for up to ninety days beyond his
490 parole release or discharge date.

491 ~~[(c)]~~ (d) Any inmate requesting permission to remain in a

492 correctional facility, as provided in subsection (a) or (b) of this section
 493 or any person requesting permission to remain in a program, as
 494 provided in subsection [(b)] (c) of this section, shall submit such
 495 request, in writing, to the Commissioner of Correction not later than
 496 one week prior to the scheduled date for the inmate's parole release or
 497 discharge.

498 [(d)] (e) Any inmate receiving permission to remain in a correctional
 499 facility or any person receiving permission to remain in a program
 500 operated by a state department other than the Department of
 501 Correction beyond his scheduled date for parole release or discharge
 502 may be charged a reasonable daily fee by the appropriate department
 503 while [said inmate is] housed in a facility of [said] such department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	1-210(c)
Sec. 3	<i>from passage</i>	1-212
Sec. 4	<i>from passage</i>	54-102g
Sec. 5	<i>July 1, 2008</i>	18-85
Sec. 6	<i>July 1, 2008</i>	18-84a
Sec. 7	<i>July 1, 2008</i>	18-85a
Sec. 8	<i>July 1, 2008</i>	18-101
Sec. 9	<i>July 1, 2008</i>	18-90b
Sec. 10	<i>July 1, 2008</i>	18-84
Sec. 11	<i>July 1, 2008</i>	18-85c
Sec. 12	<i>July 1, 2008</i>	18-101b

Statement of Purpose:

To: (1) Prohibit the Commissioner of Correction from disclosing personnel, medical and related files of Department of Correction employees to individuals under the care or custody of the commissioner, except pursuant to a valid court order; (2) require public agencies that receive requests to disclose public records under the Freedom of Information Act related to a correctional institution or facility or a Whiting Forensic Division facility to notify the applicable commissioner for a determination regarding the security risk of such

disclosure, and permit such commissioner to order that such record be exempt from disclosure; (3) establish a fee for copies of public records provided by the Department of Correction to inmates and require inmates to repay such fees from their accounts or deposits to their accounts; (4) permit the Commissioner of Correction to use reasonable force to obtain a blood or other biological sample from a person in the custody of the commissioner who refuses to comply with such requirement after being convicted for failure to comply; (5) revise provisions regarding inmate discharge savings accounts; and (6) permit inmates scheduled to be discharged to request to remain in a correctional facility for up to ninety days while awaiting entry into a treatment program or health care institution or for a compelling reason related to rehabilitation or treatment.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]